

Application No.: 09/864,486

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Listing of Claims:

1-5. (Cancelled)

6. (Currently amended) An isolated DNA fragment comprising the nucleotide sequence of SEQ ID NO:1 and/or SEQ ID NO: 2.

7. (Original) An isolated DNA fragment according to claim 6, wherein said fragment belongs to agene isolated from *P. pastoris*.

8. (Currently amended) ~~A recombinant~~ An isolated DNA fragment according to claim 6, further comprising the nucleotide sequence of ~~SEQ ID NO:1 and/or~~ SEQ ID NO: 2.

9. (Cancelled)

10. (Cancelled)

11. (Currently amended) ~~A recombinant~~ An isolated DNA fragment according to claim 6, wherein said DNA fragment comprises the 5' regulatory region of an ~~ICL~~ isocitrate lyase gene isolated from *P. pastoris*.

12. (Currently amended) ~~A recombinant~~ An isolated DNA fragment according to claim ~~10~~ 6, wherein said DNA fragment comprises the 3' regulatory region of an ~~ICL~~ isocitrate lyase gene isolated from *P. pastotris*.

13. (Currently amended) A recombinant construct comprising SEQ ID NO: 1 ~~and/or~~ ~~SEQ ID NO: 2~~ operably linked to a heterologous DNA sequence encoding at least one polypeptide.

14. (Original) A DNA vector comprising the recombinant construct of claim 13.
15. (Original) A DNA vector according to claim 14, wherein said vector further comprises a coding sequence whose expression is under the control of SEQ ID NO: 1.
16. (Currently amended) A recombinant construct according to claim 13, wherein said heterologous DNA sequence comprises a ~~dextranase~~ gene encoding a dextranase ~~gene~~ from *P. minioluteum*.
17. (Original) A recombinant construct according to claim 13, wherein said heterologous DNA sequence comprises a 5' ATG start codon and a 3' stop codon.
18. (Original) A DNA vector according to claim 14, wherein said vector is a yeast vector.
19. (Original) A host cell transformed with the vector of claim 14.
20. (Original) A host cell transformed with the vector of claim 18.
21. (Original) A host cell according to claim 20, wherein said host cell is selected from the group consisting of *Saccharomyces*, *Hansenula*, *Pichia*, and *Candida*.
22. (Currently amended) A host cell according to claim 21, wherein said host cell is ~~preferably~~ *P. pastoris*.
23. (Original) A host cell according to claim 19, wherein said construct is integrated into said host cell's genome.

24. (Original) A host cell according to claim 20, wherein said construct is integrated into said host cell's genome.

25. (Currently amended) A method of regulating the expression of a heterologous gene encoding a protein comprising the steps of

- i-) making a recombinant DNA construct comprising a glucose-repressible promoter operably linked to a DNA encoding said protein, wherein said glucose-repressible promoter comprises SEQ ID NO: 1 operably linked to a heterologous DNA sequence encoding said protein;
- ii-) transforming said recombinant DNA construct into a yeast host cell;
- iii-) growing said yeast host cell in glucose containing medium sufficient to repress transcriptional activity of SEQ ID NO: 1; or
- iv-) growing said yeast host cell in glucose-free medium or medium containing 3% ethanol to induce transcriptional activity of SEQ ID NO: 1,

whereby expression of said heterologous gene encoding a protein is under the control of said repressible promoter.

26. (Original) A method according to claim 27, wherein said glucose containing medium contains glucose in a concentration of about 2%.